



Express Mail Label Number: EV669115931US
Date of Deposit: February 1, 2006

09-02-06
IAP7 Rec'd PCT/PTO 01 FEB 2006

Attorney Docket No. 350959-004 (THMX-001 US)

PC7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rosiello *et al.*
SERIAL NUMBER: 10/552,354
FILING DATE: May 3, 2004
FOR: METHOD AND SYSTEM FOR WARMING A FLUID
GROUP ART UNIT: Not yet assigned
EXAMINER: Not yet assigned

Boston, Massachusetts

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER

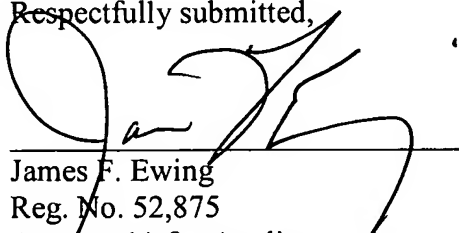
Dear Sir:

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Information Disclosure Statement;
- ☒ PTO Form 1449;
- ☒ Copies of Cited Reference C1; and
- ☒ Return Postcard

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at telephone (617) 342-4000. No fees are believed to be due. This paper is submitted in duplicate for the Office's convenience.

Respectfully submitted,



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Dated: February 1, 2006

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Attorney Docket No. 350959-004 (THMX-001US)



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APPLICANT: Rosiello, et al.
TITLE: METHOD AND SYSTEM FOR WARMING A FLUID
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FILING DATE May 3, 2004
GROUP ART UNIT Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed below and on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. The order of presentation of the references should not be construed as an indication of the importance of the references.

This Information Disclosure Statement is being been filed:

- ☐ within three months of the filing date of the National Application;
- ☒ prior to receipt of first office action on the merits; or
- ☐ within three months of receipt of art cited in a related foreign

application.

Accordingly, no fee or certification is required. 37 C.F.R. §1.97.

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached Form PTO-1449 (modified). Copies of any United States patents or publication are not included. It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a

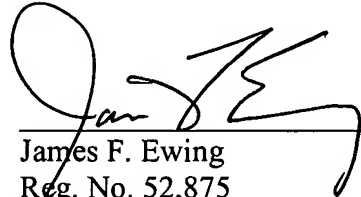
APPLICANTS: Rosiello et al.
U.S.S.N.: 10/552,354
INFORMATION DISCLOSURE STATEMENT

determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested. Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-3431, Reference No. 350959-0004.


Respectfully submitted,



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Dated: February 1, 2006

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| SPTO Form 1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION DISCLOSURE STATEMENT | | | | Attorney Docket No. THMX-001US | | Serial No. 10/552,354 | |
|  | | | | Applicant(s): Rosiello, <i>et al.</i> | | | |
| | | | | Filing Date: May 3, 2004 | | Group: Not yet assigned | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| Examiner Initial | | Patent No. | Date | Name | Class | Subclass | Filing Date (if appropriate) |
| | A1 | US 2003/0195597 | October 16, 2003 | Keller <i>et al.</i> | | | May 21, 2003 |
| | A2 | 5,807,332 | September 15, 1998 | Augustine <i>et al.</i> | | | June 5, 1996 |
| | A3 | 5,101,804 | April 7, 1992 | Cohn | | | September 4, 1990 |
| | A4 | 5,445,603 | August 29, 1995 | Wilkerson | | | December 17, 1993 |
| | A5 | 4,432,765 | February 21, 1984 | Oscarsson | | | July 14, 1982 |
| | A6 | 5,445,630 | August 29, 1995 | Richmond | | | July 28, 1993 |
| | A7 | 5,232,109 | August 3, 1993 | Tirrell <i>et al.</i> | | | June 2, 1992 |
| | A8 | 5,620,427 | April 15, 1997 | Werschmidt <i>et al.</i> | | | April 27, 1995 |
| | A9 | 5,738,144 | April 14, 1998 | Rogers | | | October 11, 1996 |
| | A10 | 6,083,194 | July 4, 2000 | Lopez | | | April 10, 1998 |
| | A11 | 6,746,439 | June 8, 2004 | Lenker | | | April 19, 2001 |
| | A12 | 6,175,688 | Jan 16, 2001 | Cassidy <i>et al.</i> | | | July 10, 1998 |
| | A13 | 6,488,659 | December 3, 2002 | Rosenmann | | | August 4, 2000 |
| | A14 | 5,195,976 | March 23, 1993 | Swenson | | | February 10, 1992 |
| | A15 | 5,690,614 | Nov. 25, 1997 | Carr <i>et al.</i> | | | September 6, 1995 |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| Examiner Initial | | Document No. | Publication Date | Country | Class | Subclass | Translation |
| | | | | | | | YES NO |
| | | | | | | | |
| OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.) | | | | | | | |
| | C1 | PCT International Search Report, PCT/US04/13714, mailed November 29, 2005. | | | | | |
| EXAMINER | | | | | DATE CONSIDERED | | |
| <small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. **Copies of references not provided at the time of this submission.</small> | | | | | | | |